



10-16-06
JAF

TFW 3748

Certificate of Mailing under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on October 13, 2006
Date

Express Mail Label No. ED 808091083 US

Laurence C Bonar
Signature

Laurence C. Bonar
Typed or Printed Name

Note: Each Paper must have its own certificate of mailing, or this certificate must identify each submitted paper.



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11

Application Number

10/523,135

Filing Date

01/21/2005

First Named Inventor

SMITH, Douglas Wilbert Paul

Art Unit

3748

Examiner Name

Nguyen, Hoang

Attorney Docket Number

SM-01

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional ApplicationPower of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Laurence C. Bonar

Signature

Laurence C Bonar

Printed name

Laurence C. Bonar

Date

October 13, 2006

Reg. No.

33,838

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

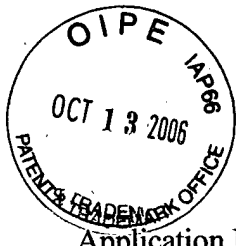
Laurence C. Bonar

Date

October 13, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



October 13, 2006

Application Number : 10/523,135
Applicant : SMITH, Douglas Wilbert Paul
Filed : 01/21/2005
TC/AU : 3748
Examiner : Nguyen, Hoang

Docket No. : SM-01
Attorney/Agent : Laurence C. Bonar, Reg. No. 33,838
917 Logan Street
Port Townsend, WA 98368
Telephone: (360)385-1237
FAX: (360)385-1294
(Customer No. 000050285)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO PATENT AND TRADEMARK
OFFICE ACTION OF AUGUST 23, 2006**

Sir:

In response to the office action of August 23, 2006, please amend the above-referenced patent application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

Claims 10-17 are pending in this application prior. By action of this Amendment, Claims 10 and 12-17 are amended.

Agent Laurence C. Bonar can be reached by telephone at 360/385-1237, by FAX at 360/385-1294, or by e-mail to lbonar@olypen.com.